

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 24665 of 2005

Dated: 18.11.2005

Between:

K. Prabhakar, S/o. Gunneswara Rao,
CISF Unit, BHEL (R), Hyderabad-32.

..... PETITIONER

AND

The Commandant, CISF unit, BHEL (R),
Hyderabad-32 and others.

.....RESPONDENTS

ORDER:

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The petitioner was posted as Sub-Inspector in the Central Industrial Security Force Unit at NFC upto July, 2004. In that month, he was transferred to the unit in Bharat Heavy Electronics Limited, Hyderabad (BHEL). When he was at NFC, he was provided with official accommodation. On the ground that he did not vacate the quarter even after transfer to BHEL unit, the respondents effected recovery of rent at the rate of Rs.7,666/- per month. The petitioner submitted a representation dated 05.01.2005 stating that he was not allowed the usual time of two months for vacating the quarter after transfer and that the recovery was effected even after he vacated the quarter. As of now the further recovery is said to have been stopped. The grievance of the petitioner is that the respondents did not take any steps for refund of the amount said to have been recovered from him, in excess.

Heard the learned counsel for the petitioner and the learned standing counsel

appearing for the respondents.

The questions as to whether the petitioner was entitled to stay for a period of two months after the transfer, and when exactly he vacated the quarter, need to be verified with reference to the relevant records. The respondents have recovered the amount in the form of penal rent from the petitioner for a period of four months. The assertion of the petitioner that he did not stay for such a period over and above his entitlement needs to be verified.

Therefore, the writ petition is disposed of directing the respondents to examine the representation, dated 05.01.2005, submitted by the petitioner with reference to the refund of excessive penal rent, if any, recovered from the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

18.11.2005

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